



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,110	01/17/2002	Edward M. Silver	BELL-0168/01382	1659

7590

05/08/2003

Woodcock Washburn LLP  
46th Floor  
One Liberty Place  
Philadelphia, PA 19103

EXAMINER

WALSH, DANIEL I

ART UNIT PAPER NUMBER

2876

DATE MAILED: 05/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application N

10/052,110

Applicant(s)

SILVER ET AL.

Examiner

Daniel I Walsh

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 3-12-03 (election).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 15-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8, 9, and 12-14 is/are rejected.
- 7) ☒ Claim(s) 4, 7, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Receipt is acknowledged of the Election received on 12 March 2003. Claims 1-14 and 28 are currently pending.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Pintsov et al. (US 6,385,504).

Re claim 1, Pintsov et al. teaches receiving a package at an intermediate shipping site; determining delivery authorization status corresponding to the package; and delivering the package if the authorization status is acceptable, and not delivering the package if the authorization status is not acceptable through intermediate shipping site (interpreted as the mail processing facility/carrier service) and that delivery is rejected if a unique identifier is not found in the database (FIG. 9, claim 2, and col 13, lines 26+).

Re claims 13-14. Pintsov et al. teaches receiving information identifying an expected package through receiving the unique identifiers (abstract). Once the package is received, the carrier determines the identifier from the mailpiece to verify the data associated with the mailpiece has been processed by the carrier or trusted third party (abstract) and based upon the

verification, authorizing delivery or not, depending on if there is a match, or rejecting the mailpiece.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 2, 3, 5, 6, 8, 9, 12, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pintsov et al., as applied to claim 1 above.

The teachings of Pintsov et al. have been discussed above. Re claims 2 and 3, Pintsov et al. teaches receiving a message from a sender and determining from the message, an identification of the package through obtaining the identification number (col 5, lines 7+).

Re claim 5, it is understood that the identifier is received from the package, and the identification of the package is determined through scanning and interpreting the mailpiece to

obtain the identification number (902). Re claim 6, it is understood that delivery is authorized when the package information matches the message information (i.e. the identification number on the package matches that in a database (see claim 2)).

Re claim 8, though Pintsov et al. is silent to sending the message via email, Pintsov teaches communication between computers 102 and 106, interpreted as networking connections. Therefore, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to send via email, a message, since the transmission of data between computers is well known and obvious, and taught above through Pintsov et al. Therefore, simply specifying a well-known and conventional means of data transfer between computers, that in itself is well known and obvious, would have been an obvious matter of design variation.

Re claim 9, it has been taught above that an identification of the package is sent (via computer). Therefore, sending it via email, through the computer, is an obvious expedient, as discussed above.

Re claim 12, Pintsov et al. teaches the storing of identifiers in a database (col 14, lines 1+).

Re claim 28, the limitations have been discussed above, re claims 13-14. Though Pintsov et al. is silent to the user of a user interface and a processor, Pintsov et al. teaches a computer/processor that receives information identifying an expected package and a received package (identifier(s), see FIG. 1) and that comparison is made between the information (identifier(s)) to authorize delivery (abstract). Therefore, as Pintsov et al. teaches the use of a computer to verify mailpiece identifiers to authorize delivery, as is conventional and within the skill in the art, it would have been obvious to include a user interface in communication with the

processor (computer) as is conventional in the art, as a means to operate the computer/system that is well known and obvious for automating the mailpiece verification..

Though Pintsov et al. fails to specifically teach the reception of a message, it is well known and obvious that a message is a short transmission of data. Therefore, it is understood that Pintsov et al. teaches the reception of a message, as is conventional in the art.

#### ***Allowable Subject Matter***

4. Claims 4, 7, 10, and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach receiving a message from an addressee of the package to authorize delivery, determining the delivery authorization status as acceptable if the sender identification matches one of a plurality of predefined senders and determining unacceptable delivery authorization status if the sender information doesn't match, and receiving a first email from a sender and a second email from an addressee to authorize delivery.

#### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Metelits et al. (US 5,119,306), Davis et al. (US 6,409,082), Foladare et al. (US 5,831,860), White et al. (US 4,972,494), Zahariev (US 6,035,104), and Ryu (JP 411076946A).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Walsh whose telephone number is (703) 305-1001. The examiner can normally be reached between the hours of 7:30am to 4:00pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for this Group is (703) 308-7722, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [daniel.walsh@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set for the in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



DIW  
4/21/03



KARL D. FRECH  
PRIMARY EXAMINER